



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,498	12/05/2003	Jacob Mathews	14846-29	2319

7590 04/05/2007  
GEORGE D. MORGAN, ESQ  
LOWENSTEINS SANDLER PC  
65 LIVINGSTON AVENUE  
ROSELAND, NJ 07068

EXAMINER
----------

BASIT, ABDUL

ART UNIT	PAPER NUMBER
----------	--------------

3694

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/05/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/730,498

Applicant(s)

MATHEWS ET AL.

Examiner

Abdul Basit

Art Unit

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 445/2003- 12/5/2003
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 11, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Martyn (US Pub. No. 2003/0154158).

#### ***Regarding claim 1:***

Martyn teaches a system for offering a financial instrument across different types of trading platforms, comprising:

- a plurality of trading platforms, at least two of the trading platforms using different protocols for exchanging trading information; and
- an interface for linking the trading platforms to allow an offering posted in one of the trading platforms to be simultaneously offered in each of the trading platforms and a particular quantity of the offering to be purchased in any of the trading platforms.

(For all, see ¶ 23).

#### ***Regarding claim 11:***

Martyn teaches offering a financial instrument across different types of trading platforms, at least two of the trading platforms using different protocols for exchanging

Art Unit: 3694

trading information, comprising the steps of:

posting an offering in one of the trading platforms; and displaying the posted offering simultaneously in each of the other trading platforms, so as to allow a particular quantity of the offering to be purchased in any of the trading platforms.

(For all, see ¶ 23).

**Regarding claim 17:**

Martyn teaches a program storage device readable by a machine, tangibly embodying a program of instructions executable on the machine to perform method steps for offering a financial instrument across different types of trading platforms, at least two of the trading platforms using different protocols for exchanging trading information, the method steps comprising of posting an offering in one of the trading platforms; and displaying the posted offering simultaneously in each of the other trading platforms, so as to allow a particular quantity of the offering to be purchased in any of the trading platforms.

(For all, see ¶ 23).

**Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-10, 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martyn in view of Lewis (US Pub. No. 2002/0065752).

***Regarding claim 2:***

Lewis, not Martyn, teaches that the interface generates an acknowledgment message when a trading request is received. (see ¶ 80).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because an acknowledgement message enhances efficiency of a trading system.

***Regarding claim 3:***

Lewis, not Martyn, teaches that the acknowledgment message is generated after receipt of a trading request to purchase a specified quantity of a specified financial instrument at a specified price. (see ¶ 80-81).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because an acknowledgement message enhances efficiency of a trading system.

***Regarding claim 4:***

Lewis, not Martyn, teaches a trade is canceled if the acknowledgment message is not received within a predetermined time period. (see ¶ 80-81).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because an acknowledgement message enhances efficiency of a trading system.

***Regarding claim 5:***

Lewis, not Martyn, teaches a first trading platform includes a risk

Art Unit: 3694

management component and a second trading platform includes a trading portal. (see ¶ 114).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because having a risk management component provides for a more efficient trading system.

***Regarding claim 6:***

Lewis, not Martyn, teaches further including a reporting component for reporting transaction information associated with trading activity. (see ¶ 120).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because reporting information creates a more efficient trading system.

***Regarding claim 7:***

Lewis, not Martyn, teaches that the interface includes an adapter for each of the trading platforms, each of the adapters allowing the interface to translate messages to and from one of the trading platforms. (see ¶ 23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because an adaptor allows for more efficient trading between a plurality of platforms.

***Regarding claim 8:***

Lewis, not Martyn, teaches that the interface ensures that offering information is uniform in each of the trading platforms. (see ¶ 23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because creating uniformity creates a more efficient trading system.

***Regarding claim 9:***

Lewis, not Martyn, teaches a change of pricing information in one of the trading platforms causes a corresponding pricing information change in other of the trading platforms. (see ¶ 19-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because a uniformity of prices on different trading platforms creates a more efficient trading system.

***Regarding claim 10:***

Lewis, not Martyn, teaches a change of quantity information in one of the trading platforms causes a corresponding quantity information change in other of the trading platforms. (see ¶ 19-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because this will create a more efficient trading system.

***Regarding claim 12:***

Lewis, not Martyn, teaches, including the step of generating an acknowledgment message when a trading request is received. (see ¶ 180).

Art Unit: 3694

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because

***Regarding claim 13:***

Lewis, not Martyn, teaches that the acknowledgment message is generated after receipt of a trading request to purchase a specified quantity of a specified financial instrument at a specified price. (see ¶ 180).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because an acknowledgement message creates a more efficient trading system.

***Regarding claim 14:***

Lewis, not Martyn, teaches a trade is canceled if the acknowledgment message is not received within a predetermined time period. (see ¶ 80-81).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because an acknowledgement message creates a more efficient trading system.

***Regarding claim 15:***

Lewis, not Martyn, teaches a first trading platform includes a risk management component and a second trading platform includes a trading portal. (see ¶ 114).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because a risk management component enhances efficiency of the trading system.

***Regarding claim 16:***



Lewis, not Martyn, teaches the step of reporting transaction information associated with trading activity. (see ¶ 120).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Martyn with Lewis. Motivation to modify exists, because a reporting transaction enhances efficiency of the trading system.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdul Basit whose telephone number is 571 272-7246. The examiner can normally be reached on Monday - Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571 272 6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 3694

aqb

A handwritten signature in black ink, appearing to read "Mary D. Cheung", with a long, sweeping horizontal stroke extending to the right.

**MARY D. CHEUNG**  
**PRIMARY EXAMINER**